

Response to Arguments

Applicant's arguments filed October 1, 2009 have been fully considered but they are not persuasive.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Applicants argues and maintains the same arguments as the 5/15/09 response that Abjanic does not disclose or suggest at least the limitation of "determining at least a first identifier identifying said common switch, a second identifier identifying said first blade server and at least a third identifier identifying at least said second blade server, wherein said first, second and third identifiers are located within a header portion of said received at least one packet; and routing via said common switch, at least a portion of said at least one received packet to at least said second blade server, based on said determined first, second and third identifiers from said header portion of said received at least one packet"

Examiner asserts that Abjanic discloses per [0073], " Because content based message director 145 may be optional in some instances, switch 165 may switch the transformed message using address-based routing or switching techniques, such as switching to a particular output port of switch 165 based on source and/or destination address and port numbers provided in the message or provided in a header of a packet carrying the message."

The port number is equated as the initial destination address which is specified in the header of the packet as it serves as an identifier of the switch through which the message is routed through. Examiner argues that the port number is an identifier of a switch. The port numbers, which refer to the physical ports of the switch, is equated as one of the multitude of identifiers of the switch. With respect to claim limitations that the first, second and third identifier are located in a header of a message, the above passage clearly states it per [0073], " such as switching to a particular output port of switch 165 based on source and/or destination address and port numbers provided in the message or provided in a header of a packet carrying the message" Therefore, the source, port number, and the destination address is equated as the first, second and third identifiers, and all three identifiers are provided in the headers of the message as shown above. Examiner has addressed this argument in the previous office action as well.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 11-19, and 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al. – hereinafter Kennedy (US 7,225,247) in view of Abjanic et al. – hereinafter Abjanic (US 2003/0069975).

As per claims 1, 11, and 21, Kennedy discloses a method for communicating information in a server, the method comprising:

receiving at a common switch, at least one packet (Col 5 line 49-Col 6 line 11; Management controller 120 packetizes the information) from a first blade server of a plurality of blade servers, wherein said at least one packet is designated for at least a second blade server of said plurality of blade servers, and wherein said first blade server and said at least a second blade server are coupled to common switch via a common bus (Col 5 line 49- Col 6 line 11; Chassis management module 580 orchestrates the exchange of management information between blade servers 500 through 500G; Figure 5: Items 500A-500G)

Kennedy fails to disclose determining at least a first identifier identifying said common switch, a second identifier identifying said first blade server, and at least a third identifier identifying said second blade server, wherein said first, second and third identifiers are located within a header portion of said received at least one packet; and

routing via said common switch, at least a portion of said at least one received packet to at least said second blade server, based on said determined first, second and third identifiers from said header portion of said at least one received packet.

Abjanic disclose determining at least a first identifier identifying said common switch, a second identifier identifying said first blade server, and at least a third identifier

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identifying said second blade server, wherein said first, second and third identifiers are located within a header portion of said received at least one packet; and ([0073]; ([0083]; a computer chassis where cards or blades can be plugged in)

routing via said common switch, (Figure 7: item 710)at least a portion of said at least one received packet to at least said second blade server, based on said determined first, second and third identifiers from said header portion of said at least one received packet. ([0073])

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Kennedy to disclose determining at least a first identifier identifying said common switch, a second identifier identifying said first blade server, and at least a third identifier identifying said second blade server, wherein said first, second and third identifiers are located within a header portion of said received at least one packet; and

routing via said common switch, at least a portion of said at least one received packet to at least said second blade server, based on said determined first, second and third identifiers from said header portion of said at least one received packet. The motivation for doing do would have been to switch the message to a selected server or processing node. (abstract)

As per claims 2, 12, and 22, Kennedy / Abjanic disclose the method according to claim 1, and Abjanic discloses comprising transferring said header portion of said at

least one received packet to said routing of said at least said second blade server via said common switch. ([0073])

As per claims 3, 13, and 23, Kennedy / Abjanic disclose the method according to claim 1, and Abjanic discloses wherein said common switch comprises a switch blade coupled to said common bus, and wherein said switch blade controls said routing of said header portion of said received packet. ([0083]; a computer chassis where cards or blades can be plugged in; Figure 7: item 710)

As per claims 4, 14, and 24, Kennedy / Abjanic disclose the method according to claim 1, wherein said common bus comprises a common backplane ([0083])

As per claims 5, 15, and 25, Kennedy / Abjanic disclose the method according to claim 1, wherein said common switch comprises a bus transceiver and a bus controller. ([0083])

As per claims 6, 16, and 26, Kennedy / Abjanic disclose the method according to claim 1. Abjanic discloses wherein each of said first, second, and third identifiers comprises one or both of a MAC address and / or an IP address. ([0028])

As per claims 7, 17, and 27, Kennedy / Abjanic disclose the method according to claim 1, and Abjanic discloses comprising: acquiring said second identifier of said first blade server; and transferring via said common switch, said second identifier of said first blade server to at least said second blade server. ([0073])

As per claims 8, 18, and 28, Kennedy / Abjanic disclose the method according to claim 1, and Kennedy discloses comprising broadcasting said header portion of said at least one received packet on said common switch. (Col 5 line 49-Col 6 line 11)

As per claims 9, 19, and 29, Kennedy / Abjanic disclose the method according to claim 1, and Abjanic discloses comprising receiving a broadcast containing said at least one received packet. ([0073])

Claims 10, 20, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy (US 7, 225, 247) / Abjanic et al. – hereinafter Abjanic (US 2003/0069975) further in view of Deng et al. – hereinafter Deng (US 6,208,647)

As per claims 10, 20, and 30, Kennedy / Abjanic discloses the method according to claim 1, and Kennedy fails to disclose comprising receiving at least one packet from said second blade server and transferring via said common switch, said header portion of said at least one packet received from said second blade server to at least one of said first blade server and a third blade server. Deng discloses comprising receiving at

least one packet from said second blade server and transferring via said common switch, said at least at portion of said at least one packet received from said second blade server to at least one of said first blade server and a third blade server. (Col 5 lines 8-28) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose multicasting in the disclosure of Kennedy. The motivation for doing so would have been to provide true multicasting at an Ethernet switch by treating multicast addresses as unicast addresses (Col 3 lines 11-15)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 8:00AM to

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4:30PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on (571) 272-1915.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairdirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

/C. R. P./
Examiner, Art Unit 2454

/John Follansbee/
Supervisory Patent Examiner, Art Unit 2451